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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,582	08/14/2000	Bob M. Ayers	07844-367001	1726
21876	7590	11/21/2003	EXAMINER HUYNH, CONG LAC T	
FISH & RICHARDSON P.C. 500 ARGUELLO STREET SUITE 500 REDWOOD CITY, CA 94063			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/639,582	AYERS, BOB M.
	Examiner	Art Unit
	Cong-Lac Huynh	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 14 August 2000.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

1. This action is responsive to communications: the application filed on 8/14/00.
2. Claims 1-12 are pending in the case. Claims 1 and 7 are independent claims.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Microsoft PowerPoint 2000, Copyright 1987-1999 Microsoft Corporation, referred as PowerPoint, screenshots, pages 1-7.

Regarding independent claim 7, PowerPoint discloses:

- identifying a page layout template having a plurality of dimensions including one or more variable dimensions, the template lacking a size specification for the variable dimensions and including at least one box having adjustable metrics in the variable dimensions specifying at least one of a size of the box and a distance from the box to any other boxes (pages 2-4: the page layout template has two variable dimensions, width and height, the template lacking a size specification for variable dimensions; page 5: the template has at least one box

"Click to add title" having adjustable metrics in the variable dimension specifying at least one of the size of the box and the distance from this box to the lower box)

- fixing a size for each variable dimension of the template (page 4; user can fix a size for each variable dimension by entering a desired number in the height box or the width box)
- adjusting the metrics of the box based on the sizes (page 5: user can click on the corners or the middle points of each size of the box to adjust the metrics of the box)

Regarding claim 8, which is dependent on claim 7, PowerPoint discloses the page layout template includes a plurality of boxes having a hierarchical relationship, and wherein the adjusting step comprises adjusting the metrics of the boxes in hierarchical order (page 2: the page layout template includes two sibling boxes having hierarchical relationship; page 5: adjusting the metrics of the upper and lower boxes).

Regarding claim 9, which is dependent on claim 8, PowerPoint discloses adjusting the metrics of the boxes independently in each dimension (pages 5-6).

Regarding claim 10, which is dependent on claim 8, PowerPoint discloses adjusting the metrics of the boxes, first in the one dimension, and then in another dimension (pages 2 and 5: the metrics of the boxes are adjusted in one dimension, and then in another dimension in page 5 compared with page 2).

Regarding claim 11, which is dependent on claim 10, PowerPoint discloses terminating adjusting of a particular box and its child boxes in a given dimension at a hierarchical layer when the particular box has a synthesized size in the given dimension (pages 5-6: the adjustment of the upper box and the lower box is considered terminated when reached to a desired size).

Regarding claim 12, which is dependent on claim 11, PowerPoint discloses flowing content into the boxes (pages 6-7: entering data in the upper box).

Claims 1-6 are for a system of method claims 7-12, and are rejected under the same rationale.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mason (US Pat No. 5,214,755, 5/25/93).

Hayashi et al. (US Pat No. 5,633,996, 5/27/97).

Tyan et al. (US Pat No. 5,893,127, 4/6/99, filed 11/18/96).

Fukui et al. (US Pat No. 5,742,837, 4/21/98, 8/26/94).

Quartetti (US Pat No. 6,606,105 B1, 8/12/03).

Seaman et al. (US Pat No. 6,620,206 B1, 9/16/03).

Sites (US Pat No. 6,324,555 B1, 11/27/01, filed 8/31/98).

McCauley et al. (US Pat No. 6,626,958 B1, 9/30/03, 11/18/98).

Loui et al. (US Pat No. 6,636,648 B2, 10/21/03, filed 7/2/99).

Mott et al. (US Pat No. 6,326,970 B1, 12/4/01, filed 10/2/98, priority 5/16/97).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh  
11/12/03



SANJIV SHAH  
PRIMARY EXAMINER